

ORIGINAL SENATE
FILE NO. SF0053

ENROLLED ACT NO. 37, SENATE

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2016 BUDGET SESSION

AN ACT relating to the Wyoming Wildlife and Natural Resource Funding Act; providing for funding of large projects under that act; specifying large projects approved for funding in 2016; requiring specified conservation easements to include the state of Wyoming as a third party beneficiary as specified; requiring certifications regarding kickbacks and gifts; providing appropriations; providing for reversion of funds; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 9-15-1101 through 9-15-1104 are created to read:

ARTICLE 11
2016 LARGE PROJECT FUNDING

9-15-1101. Lazy BV Conservation Easement.

(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: Lazy BV Conservation Easement:

(i) Project sponsor: The Nature Conservancy;

(ii) Project purpose: Restriction on residential development on approximately two thousand five hundred (2,500) acres in Park county in order to:

(A) Maintain key winter ranges and migration corridors for bighorn sheep, elk, deer and moose;

(B) Maintain access to spawning and year-round habitat for Yellowstone cutthroat trout;

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(C) Maintain distribution of Greater Sage-grouse in a core population area; and

(D) Maintain agricultural production and opportunity on high quality farm and ranch lands.

(iii) Project description: Conservation Easement;

(iv) Total project budget: One million one hundred sixty-six thousand five hundred thirty-eight dollars (\$1,166,538.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant two hundred sixty-nine thousand six hundred thirty-five dollars (\$269,635.00) to the sponsor for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board two hundred sixty-nine thousand six hundred thirty-five dollars (\$269,635.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2019.

9-15-1102. Lower Encampment Watershed.

(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: Lower Encampment River Restoration:

(i) Project sponsor: Trout Unlimited;

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(ii) Project purpose: Stream habitat enhancement, fish passage modification, wetland enhancement and irrigation improvement in order to:

(A) Provide stability to stream function;

(B) Allow natural movement of trout in an area of high recreational value; and

(C) Enhance irrigation efficiency in an area of high productivity for agriculture.

(iii) Project description: Streambank stabilization, channel design and modification and enhancement of diversion structures;

(iv) Total project budget: Two million one thousand four hundred ninety dollars (\$2,001,490.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor six hundred thousand dollars (\$600,000.00) for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board six hundred thousand dollars (\$600,000.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2019.

9-15-1103. South Pass Aspen II.

(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: South Pass Aspen II:

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(i) Project sponsor: Wyoming Game and Fish Commission;

(ii) Project purpose: Removal of invasive conifers from sagebrush and aspen habitats in an area with high wildlife populations in the southern Wind River Range in order to:

(A) Provide seasonal and year-long habitats for elk, mule deer, antelope, Greater Sage-grouse and other species; and

(B) Reduce the risk of catastrophic fire in an area with high to very high risk of property damage.

(iii) Project description: Removal of conifer through fire, mechanical, chemical and other methods;

(iv) Total project budget: One million one hundred four thousand one hundred dollars (\$1,104,100.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor four hundred forty-five thousand dollars (\$445,000.00) for the purposes specified in this subsection;

(vi) Appropriation: There is appropriated from the income account to the board two hundred fifty thousand dollars (\$250,000.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2019.

9-15-1104. Rocking Chair Ranch Conservation Easement.

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(a) Authorization is granted for funding of the following large project as provided in this section.

(b) Project: Rocking Chair Ranch Conservation Easement:

(i) Project sponsor: Wyoming Game and Fish Commission;

(ii) Project purpose: Restriction on residential development in an area with extremely high wildlife diversity and critical habitat function in Lincoln county in order to:

(A) Maintain habitats and migration corridors for moose, elk, deer, antelope and other species;

(B) Maintain and enhance aquatic function including large wetland resources;

(C) Maintain seasonal habitats for Greater Sage-grouse in a core population area; and

(D) Maintain agricultural production and opportunity on high quality farm and ranch lands.

(iii) Project description: Conservation Easement;

(iv) Total project budget: One million six hundred fifty thousand eight hundred dollars (\$1,650,800.00);

(v) Project grant: The Wyoming wildlife and natural resource trust account board is authorized to grant to the sponsor four hundred thousand dollars (\$400,000.00) for the purposes specified in this subsection;

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(vi) Appropriation: There is appropriated from the income account to the board four hundred thousand dollars (\$400,000.00) or as much thereof as is necessary to carry out the purposes of this subsection. Unexpended and unobligated funds appropriated under this subsection shall revert to the income account on June 30, 2019.

Section 2. Each conservation easement for which funding is authorized under Section 1 of this act shall include the state of Wyoming as a third party beneficiary with the right to enforce the terms of the agreement and, if the easement is transferred or extinguished, the right to recover the state's pro rata share of funds provided for the creation of the easement up to one hundred percent (100%) of the funds granted by the state for the creation of the easement.

Section 3. Before any distribution of funds is made pursuant to the appropriations authorized by Section 1 of this act, the person receiving the funds shall certify that no gratuities, kickbacks, gifts, commissions, contingency fees or other considerations have been or will be made in connection with the appropriation or the associated grant made by the Wyoming wildlife and natural resource trust account board.

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Section 4. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk